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**NOTES FROM SENDER**

RE: Serial No. 09/746,270  
Filed: 12/20/2000  
Attorney Docket No.: NC25580

TC: 2154  
Examiner: EL HADY, Nabil M.

1. Fax Cover Sheet - 1pp
2. Transmittal - 1pp
3. Amendment/Response - 5pp

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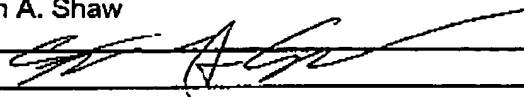
PTO/SB/21 (03-03)


Approved for use through 04/30/2003. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/746,270	
	Filing Date	12/20/2000	
	First Named Inventor	GARGIULO, Michael	
	Art Unit	2154	
	Examiner Name	EI Hady, Nabil M.	
Total Number of Pages in This Submission	7	Attorney Docket Number	NC25580

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<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Steven A. Shaw
Signature	
Date	04/01/2005

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 1, 2005	
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## IN THE U.S. PATENT AND TRADEMARK OFFICE

Appl. No. : 09/746,270  
Applicant : Michael Gargiulo  
Filed : December 20, 2000  
TC/AU : 2154  
Examiner : El Hady, Nabil M

Confirmation No.: 2797

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Docket No. : NC25580  
Customer No. : 26343

Mail Stop Amendment  
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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Sir:

This paper is in response to the NOTICE OF NON-COMPLIANT AMENDMENT mailed March 21, 2005. The Office Action dated July 7, 2004, was a Non-Final Office Action. The Amendment was filed on November 5, 2004, with a one-month extension of time fee. Claim 5 of the Amendment was missing a status identifier. Therefore, since the Amendment was in response to a Non-Final Office Action and since the Amendment was a bona fide attempt to reply to the Office Action then, under 37 CFR 1.135c, Applicant has until April 21, 2005, to respond to the NOTICE OF NON-COMPLIANT AMENDMENT. In response thereto, Applicant resubmits the Amendments to the claims section of the Amendment.

**Amendments to the Claims:** begins on page 2 of this paper.